

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Responsive to the election of species requirement and an indication of the claims readable on the elected species, it is to be noted that Applicants wish to submit the attached claims which provide a common effect with regard to the metallic surface of the latch mechanism preventing damage thereto and thus having a generic scope. In this regard, it is noted that the surface of the engaging piece 12 which engages with the latch mechanism 14 includes a metallic surface clad with synthetic resin member 15. Insofar as this feature is provided in the independent claim, it is thus common to all claims. Accordingly, favorable consideration of each of the claims now pending is believed to be in order and the same is hereby respectfully requested.

Applicants further note that a copy of the European Search Report received in the corresponding European Report was filed on June 15, 2004 in the present application. In response to such Search Report in that application, the claims as now amended in the present application were submitted for reconsideration and the following comments were filed with the European Patent Office in support of the patentability of the claims.

1. Merits and special features of the present invention

According to this invention, since the surface of the engaging piece (12) which engages the latch mechanism (14) comprising a metallic surface is clad with the member (15) of synthetic resin, the metallic surface of the latch mechanism cannot sustain a scratch or other damage and thus be kept undamaged.

According to the present invention, since a dovetail groove (24) is formed as part of the engaging piece (12) and a projection (25) is provided on a piece of synthetic resin (26) and adapted to conform to the dovetail groove (24) so that the dovetail groove (24) and the

projection (25) are joined by means of insertion-setting, the dovetail groove (24) enables the piece of synthetic resin (26) to be reliably fixed to the engaging piece (12). Thus, the piece of synthetic resin can be prevented from accidental disconnection.

Also, according to another embodiment of the invention, since the member (15) for preventing damage is formed through insertion of screws (27) made of synthetic resin into part of the engaging piece (12), the fastener is constructed simply and suffices to prevent the opposed metallic pieces from colliding with each other and sustaining damage.

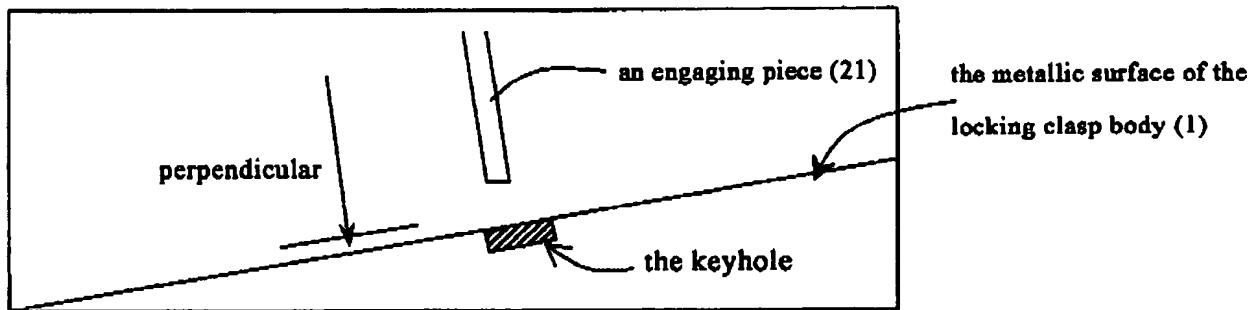
2. Comparison between the present invention and cited references

(1) D1: JP 08333939 A (hereafter JP '939)

JP '939 discloses a fastener for a bag, which comprises the combination of the locking clasp body (1) and the engaging clasp (2) which detachably fits into the locking clasp body (1). An engaging piece (21) is projecting downwardly from the point of the engaging clasp (2).

However, JP '939 does not disclose an engaging piece clad with a member for preventing infliction of injury.

As in the following explanatory drawing, the invention in JP '939 is proposed for the purpose of attaining the fastener for a bag, whose engaging clasp (2) maintains a parallel condition to the locking clasp body (1) so that engaging clasp (2) is suitably fastened to the locking clasp body (1) in the process of being closed. However, the purpose of JP '939 is very different from this invention, and so the engaging clasp (2) in JP '939 cannot prevent damage to the metallic surface of the locking clasp body (1) in case the engaging clasp (2) engages the surface of the locking clasp body (1) excluding the keyhole. Thus, the technical problem of the invention disclosed in JP '939 is very different from that of this invention.



As indicated in the explanatory drawing, the problem of JP '939 is to construct the fastener for bag so that the engaging piece (21) easily maintains a perpendicular condition to the locking clasp body (1) in the process of fastening the engaging clasp (2) to the locking clasp body (1). According to the invention disclosed in JP '939, the engaging piece (21) is smoothly fitted into the keyhole of the locking clasp body (1). However, JP '939 doesn't entirely show how to prevent the engaging clasp (2) from shaking or rattling in front and behind. Therefore, according to the invention disclosed in JP '939, the engaging clasp (2) can easily inflict damage to the metallic surface of the locking clasp body (1) in case the engaging clasp (2) shakes and is not smoothly fitted into the keyhole.

According to this invention, because the point of the engaging piece (12) fated to collide against the metallic surface of the latch mechanism (14) is clad with the member (15) of synthetic resin, the point of the engaging piece (12) doesn't inflict any injury on the metallic surface in case the engaging clasp (2) confronts the locking clasp body (1) in any direction.

Therefore, the invention in JP '939 is significantly different from this invention regarding the structure and the purpose so that the invention in JP '939 doesn't have the same effect and function as this invention has. Furthermore, JP '939 nowhere suggests the above-mentioned constructions and the effects of this invention. Consequently, it seems that even a person skilled in the field of this invention cannot readily infer this invention from the disclosures in JP '939.

(2) D2: US 4466645 A (hereafter Kobayashi '645)

Kobayashi '645 discloses the automobile door latch striker having a U-shaped rod whose legs 2b and 2c are covered with a mold-formed elastomer layer 5, wherein the leg 2b is to be pushed into a door latch B. According to the striker A disclosed in Kobayashi '645, the door is provided for being latched without any annoying impact or friction noises.

However, in the case of the invention disclosed in Kobayashi '645, the mold-formed elastomer layer 5 is not applied to the U-shaped rod in order to prevent the leg 2b rod from inflicting damage to the metallic surface of the door latch B when the leg 2b slides into the guide groove 8 of the door latch B.

The object of the invention disclosed in Kobayashi '645 is to provide a door latch striker for an automobile which generates little noise and can allow smooth and secure engagement with a door latch when the leg 2b is to be pushed into the door latch B. In the case of the invention disclosed in Kobayashi '645, the U-shaped rod is uniformly covered with the elastomer layer 5 except for the corner intersected by the leg 2b so that the leg 2b unevenly contacts the latch piece 9 and loose plays are not caused in the engagement between the striker A and the door latch B.

In the present invention, while the part of the engaging piece (12) which engages the metallic surface is clad with a member (15) of synthetic resin for preventing infliction of injury to the metallic surface, the engaging ring (18) for admitting the latch member is not clad with the member of synthetic resin. The member (15) of synthetic resin doesn't prevent the latch member (19) from fitting into the engaging ring (18). Therefore, the engaging piece (12) admits the latch member (19) into the engaging ring (18) detachably and it is smooth operation to open and close a bag.

Accordingly, this invention has the effect which can always keep the metallic surface of the latch mechanism beautiful without missing the primary function as a fastener for a bag.

(3) Therefore, the inventions in JP '939 and Kobayashi '645 are very different from the present invention regarding the structures discussed above as thus neither the invention in JP '939 nor the invention in Kobayashi '645 has the same effect and function as the present invention. Furthermore, neither JP '939 nor Kobayashi '645 suggests the above-mentioned constructions and the purpose of this invention.

In view of the foregoing, favorable reconsideration of the present application is believed to be order and the same is hereby respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

GJM:JDH\la
I:\ATTY\JDH\248067US-AM.DOC



Gregory J. Maier
Registration No. 25,599
James D. Hamilton
Registration No. 28,421
Attorneys of Record